

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

|  |   |                               |
|--|---|-------------------------------|
| _____                                      | ) |                               |
| KENNETH AND PAMELA PRICE JEAN,             | ) | CIVIL ACTION NO. 03-12306-FDS |
|  | ) |                               |
| Plaintiffs                                 | ) |                               |
|  | ) |                               |
| v.   | ) |                               |
|  | ) |                               |
| CITY OF ASHBURNHAM POLICE                  | ) |                               |
| DEPARTMENT, CITY OF WINCHENDON             | ) |                               |
| POLICE DEPARTMENT, ROB HARRINGTON,         | ) |                               |
| in his capacity as CHIEF OF THE WINCHENDON | ) |                               |
| POLICE DEPARTMENT, JACK MURRAY, in         | ) |                               |
| his capacity as CHIEF OF THE ASHBURNHAM    | ) |                               |
| POLICE DEPARTMENT, TODD C. PARSONS,        | ) |                               |
| RAYMOND M. ANAIR, ROBERT BRENNON,          | ) |                               |
| WILLIAM P. GEOFFROY, BRIAN HART,           | ) |                               |
| KEVIN AHEARN, KEVIN E. WOLSKI,             | ) |                               |
| OFFICER JOHN DOE, OFFICER JOHN POE,        | ) |                               |
|  | ) |                               |
| Defendants                                 | ) |                               |
| _____                                      | ) |                               |

**JOINT MOTION TO EXTEND FACT DISCOVERY DEADLINES**

Now come the parties, pursuant to the Scheduling Order of this court dated December 4, 2004, and the rulings by the court at the Status Conference held October 27, 2005, and hereby move to extend the fact discovery deadlines for an additional sixty (60) days. As grounds therefore, the parties state as follows:

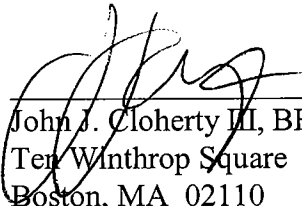
1. On October 27, 2005, the court extended the fact discovery deadlines to February 28, 2006.
2. The parties now seek to extend that deadline to April 28, 2006.
3. The court's Initial Scheduling Order permits extension of final deadlines by mutual agreement only for an additional 30 days.

4. The parties have been diligently pursuing discovery having conducted approximately ten depositions of police officers, three depositions of citizens, two keeper of records depositions and commenced the deposition of both plaintiffs.
5. By agreement the parties will be concluding the depositions of three police officers and the two plaintiffs in the immediate future.
6. The deposition of plaintiff Pamela Jean was suspended due to her suffering from a medical condition purportedly precluding her from returning to the deposition after the lunch break. The continued deposition of Kenneth Jean was timely scheduled but not held due to a conflict with his wrist surgery.
7. The parties have also exchanged numerous documents in discovery and completed written discovery.
8. Two depositions of Winchendon Police Officers remain to be conducted.
9. The involvement of two plaintiffs' attorneys and four defense attorneys, all of whom maintain busy litigation practices, has warranted extraordinary efforts at scheduling the depositions.
10. Despite the best efforts of counsel, the discovery has not been completed as anticipated.
11. This brief sixty (60) day extension of deadlines is in the interests of justice and judicial economy.


WHEREFORE, the parties respectfully request this honorable court allow this motion and extend the fact discovery deadline sixty (60) days until April 28, 2006.

Respectfully submitted,

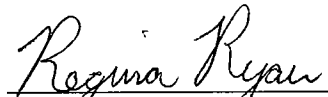
Defendants,  
TOWN OF ASHBURNHAM POLICE  
DEPARTMENT, JACK MURRAY, TODD  
PARSONS, ROBERT BRENNON, BRIAN  
HART AND KEVIN AHEARN,  
By their attorneys,  
**PIERCE, DAVIS & PERRITANO, LLP**

  
\_\_\_\_\_  
John J. Cloherty III, BBO #566522  
Ten Winthrop Square  
Boston, MA 02110  
(617) 350-0950


Defendants,  
TOWN OF WINCHENDON POLICE  
DEPARTMENT, ROB HARRINGTON,  
RAYMOND M. ANAIR, WILLIAM P.  
GEOFFROY AND KEVIN E. WOLSKI,  
By their attorney,

  
\_\_\_\_\_  
Nancy Frankel Pelletier; BBO #: 544402  
Robinson Donovan, P.C.  
1500 Main Street, Suite 1600  
Springfield, MA 01115  
(413) 732-2301


Defendants,  
TOWN OF ASHBURNHAM POLICE  
DEPARTMENT, JACK MURRAY, TODD  
PARSONS, ROBERT BRENNON AND  
KEVIN AHEARN,  
By their attorneys,

  
\_\_\_\_\_  
Douglas I. Louison, BBO #545191  
Regina M. Ryan, BBO #565246  
Merrick, Louison & Costello, LLP  
67 Batterymarch Street  
Boston, MA 02110  
(617) 439-0305

Plaintiff,  
KENNETH JEAN,  
By his attorney,

  
\_\_\_\_\_  
Andrew M. Fischer, BBO #167040  
Jason & Fischer  
47 Winter Street  
Boston, MA 02108  
(617) 423-7904

Defendants,  
JACK MURRAY, TODD PARSONS AND  
ROBERT BRENNON,  
By their attorneys,

  
\_\_\_\_\_  
Michael J. Akerson, BBO# 558565  
Andrew J. Gambaccini, BBO# 654690  
Reardon, Joyce & Akerson, P.C.  
397 Grove Street  
Worcester, MA 01605  
(508) 754-7285

Plaintiff,  
PAMELA JEAN,  
By her attorney,

  
\_\_\_\_\_  
Mark D. Stern, BBO #479500  
Mark D. Stern, P.C.  
34 Liberty Avenue  
Somerville, MA 02144  
(617) 776-4020